

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RICARDO FOULKS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 10-cv-905-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the motion to clarify filed by petitioner Ricardo Foulks (Doc. 3). Foulks seeks details about the reasons one of the Court's chambers staff (not the Clerk of the Court, as Foulks apparently believes) has ceased his participation in this case. The Court **DENIES** the motion (Doc. 3). Suffice it to say that a reasonable person with knowledge of the relevant facts could perceive the possibility of partiality of the Court's chambers staff member. His participation in this case is therefore improper. *See Code of Conduct for Judicial Employees*, Canon 3.

IT IS SO ORDERED.

DATED: January 3, 2011

s/ J. Phil Gilbert

J. PHIL GILBERT
DISTRICT JUDGE